

MESSAGE NO: 6022114 MESSAGE DATE: 01/22/1996

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: ORD-Order PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5135112  
MESSAGE #  
(s):

CASE #(s): A-462-105

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/12/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY ORDER: PURE MAGNESIUM FROM THE RUSSIAN  
FEDERATION (A-462-105)

MESSAGE NO: 6022114

DATE: 01 22 1996

CATEGORY: ADA

TYPE: ORD

REFERENCE: 5135112

REFERENCE DATE: 05 15 1995

CASES: A - 462 - 105

- -

- -

- -

- -

- -

PERIOD COVERED: 05 12 1995 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: ANTIDUMPING DUTY ORDER: PURE MAGNESIUM FROM THE  
RUSSIAN FEDERATION (A-462-105)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON DECEMBER 20, 1995, NOTICE OF ITS AMENDED ANTIDUMPING DUTY ORDER IN THE ANTIDUMPING DUTY INVESTIGATION OF PURE MAGNESIUM FROM THE RUSSIAN FEDERATION. THIS NOTICE IS CORRECTING INSTRUCTIONS FOR INTERLINK IN PARAGRAPH 4 OF MESSAGE NO 5135112 DATED 5/15/95.

2. THE PRODUCT COVERED BY THIS ORDER IS PURE PRIMARY MAGNESIUM REGARDLESS OF CHEMISTRY, FORM OR SIZE, UNLESS EXPRESSLY

EXCLUDED FROM THE SCOPE OF THIS ORDER. PRIMARY MAGNESIUM IS A METAL OR ALLOY CONTAINING BY WEIGHT PRIMARILY THE ELEMENT MAGNESIUM AND PRODUCED BY DECOMPOSING RAW MATERIALS INTO MAGNESIUM METAL. PURE PRIMARY MAGNESIUM IS USED PRIMARILY AS A CHEMICAL IN THE ALUMINUM ALLOYING, DESULFURIZATION, AND CHEMICAL REDUCTION INDUSTRIES. IN ADDITION, PURE PRIMARY MAGNESIUM IS USED AS AN INPUT IN PRODUCING MAGNESIUM ALLOY.

PURE PRIMARY MAGNESIUM ENCOMPASSES: 1) PRODUCTS THAT CONTAIN AT LEAST 99.95% PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "ULTRA-PURE" MAGNESIUM); 2) PRODUCTS CONTAINING LESS THAN 99.95% BUT NOT LESS THAN 99.8% PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "PURE" MAGNESIUM); AND

3) PRODUCTS (GENERALLY REFERRED TO AS "OFF-SPECIFICATION PURE" MAGNESIUM) THAT CONTAIN 50% OR GREATER, BUT LESS THAN 99.8% PRIMARY MAGNESIUM, BY WEIGHT, AND THAT DO NOT CONFORM TO ASTM SPECIFICATIONS FOR ALLOY MAGNESIUM.

"OFF-SPECIFICATION PURE" MAGNESIUM IS PURE PRIMARY MAGNESIUM CONTAINING MAGNESIUM SCRAP, SECONDARY MAGNESIUM, OXIDIZED MAGNESIUM, OR IMPURITIES (WHETHER OR NOT INTENTIONALLY ADDED) THAT CAUSE THE PRIMARY MAGNESIUM CONTENT TO FALL BELOW 99.8%, BY WEIGHT. IT GENERALLY DOES NOT CONTAIN, INDIVIDUALLY OR IN COMBINATION, 1.5% OR MORE, BY WEIGHT, OF THE FOLLOWING ALLOYING ELEMENTS: ALUMINUM, MANGANESE, ZINC, SILICON, THORIUM, ZIRCONIUM, AND RARE EARTHS.

EXCLUDED FROM THE SCOPE OF THIS ORDER ARE ALLOY PRIMARY MAGNESIUM, PRIMARY MAGNESIUM ANODES, GRANULAR PRIMARY MAGNESIUM (INCLUDING TURNINGS AND POWDER), AND SECONDARY MAGNESIUM.

GRANULAR MAGNESIUM, TURNINGS, AND POWDER ARE CLASSIFIABLE UNDER THE HTSUS SUBHEADING 8104.30.00. MAGNESIUM GRANULES AND TURNINGS (ALSO REFERRED TO AS CHIPS) ARE PRODUCED BY GRINDING AND/OR CRUSHING PRIMARY MAGNESIUM AND THUS HAVE THE SAME CHEMISTRY AS PRIMARY MAGNESIUM. ALTHOUGH NOT SUSCEPTIBLE TO

PRECISE MEASUREMENT BECAUSE OF THEIR IRREGULAR SHAPES, TURNINGS OR CHIPS ARE TYPICALLY PRODUCED IN COARSE SHAPES AND HAVE A MAXIMUM LENGTH OF LESS THAN 1 INCH. ALTHOUGH SOMETIMES PRODUCED IN LARGER SIZES, GRANULES ARE MORE REGULARLY SHAPED THAN TURNINGS OR CHIPS, AND HAVE A TYPICAL SIZE OF 2MM IN DIAMETER OR SMALLER.

POWDERS ARE ALSO PRODUCED FROM GRINDING AND/OR CRUSHING PRIMARY

MAGNESIUM AND HAVE THE SAME CHEMISTRY AS PRIMARY MAGNESIUM, BUT ARE EVEN SMALLER THAN GRANULES OR TURNINGS. POWDERS ARE DEFINED BY THE SECTION NOTES TO SECTION XV, THE SECTION OF THE HTSUS IN WHICH SUBHEADING 8104.30.00 APPEARS, AS PRODUCTS OF WHICH 90% OR MORE, BY WEIGHT, WILL PASS THROUGH A SIEVE HAVING A MESH APERTURE OF 1MM. (SEE HTSUS, SECTION XV, BASE METALS AND ARTICLES OF BASE METALS, NOTE 6(B).) ACCORDINGLY, THE EXCLUSION OF MAGNESIUM TURNINGS, GRANULES AND POWDER FROM THE SCOPE INCLUDES PRODUCTS HAVING A MAXIMUM PHYSICAL DIMENSION (I.E., LENGTH OR DIAMETER) OF ONE INCH OR LESS.

THE PRODUCTS SUBJECT TO THIS INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 8104.11.00, 8104.19.00, AND 8104.20.00 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING DOC CASE NUMBER: (A-821-805). FOR CUSTOMS PURPOSES ONLY, THIS CASE HAS BEEN ASSIGNED ID NUMBER: (A-462-105).

4. THE DEPARTMENT OF COMMERCE INVESTIGATED TWO PRODUCERS OF PURE MAGNESIUM, AVISMA AND SOLIKAMSK MAGNESIUM WORKS (SMW).

IF THE FOLLOWING EXPORTERS OF RUSSIAN PURE MAGNESIUM-AIOC, GERALD METALS, GREENWICH METALS, HOCHSCHILD PARTNERS, AND MG METALS-PURCHASE FROM RUSSIAN PRODUCERS OTHER THAN SMW OR AVISMA, THE EXPORTER RECEIVES THE "RUSSIA WIDE" (A-462-105-000)

DEPOSIT RATE OF 100.25%. EXCEPT FOR THE FOLLOWING:

IF THE FOLLOWING EXPORTERS OF RUSSIAN PURE MAGNESIUM-AIOC, GERALD METALS, GREENWICH METALS, HOCHSCHILD, AND MG METALS-PURCHASE THEIR PURE MAGNESIUM FROM AVISMA OR SMW, THE EXPORTER RECEIVES A DEPOSIT RATE OF 0%.

IF INTERLINK SELLS PURE MAGNESIUM PURCHASED FROM AVISMA OR SMW INTERLINK (A-462-105-005) RECEIVES A DEPOSIT RATE OF 0%. IF INTERLINK SELLS THE SUBJECT MERCHANDISE PURCHASED FROM ANY OTHER RUSSIAN PRODUCER NOT NOTED ABOVE, INTERLINK RECEIVES THE "RUSSIA WIDE" (A-462-105-000) DEPOSIT RATE OF 100.25%.

IF RAZNO SELLS PURE MAGNESIUM PURCHASED FROM SMW, RAZNO (A-462-105-007) RECEIVES A DEPOSIT RATE OF 0%. IF RAZNO SELLS THE SUBJECT MERCHANDISE PURCHASED FROM AVISMA OR ANY OTHER RUSSIAN PRODUCER NOT NOTED ABOVE, RAZNO RECEIVES THE "RUSSIA WIDE" (A-462-105-000) DEPOSIT RATE OF 100.25%.

IF HUNTER DOUGLAS METALS SELLS PURE MAGNESIUM PURCHASED FROM SMW, HUNTER DOUGLAS (A-462-105-004) RECEIVES A DEPOSIT RATE OF 0%. IF HUNTER DOUGLAS SELLS THE SUBJECT MERCHANDISE PURCHASED FROM AVISMA OR ANY OTHER RUSSIAN PRODUCER NOT NOTED ABOVE, HUNTER DOUGLAS RECEIVES THE "RUSSIA WIDE" (A-462-105-000) RATE OF 100.25%.

IF SMW SELLS PURE MAGNESIUM PRODUCED BY SMW (NOTE: SMW IS BOTH AN EXPORTER AND PRODUCER), SMW (A-462-105-015) RECEIVES A DEPOSIT RATE OF 0%. IF SMW SELLS THE SUBJECT MERCHANDISE PRODUCED BY AVISMA OR ANY OTHER RUSSIAN PRODUCER NOT NOTED ABOVE, SMW RECEIVES THE "RUSSIA WIDE" (A-462-105-000) DEPOSIT RATE OF 100.25%.

THE FOLLOWING EXPORTERS OF RUSSIAN PURE MAGNESIUM-F S ALLOYS

MINERALS, W O BERGMANN GMBH, DEREK RAPHAEL CO, MARCO

TRADING CO., WOGAN GROUP LTD., ALEX, AND MAGES-REGARDLESS OF

THE PRODUCER, RECEIVE A DEPOSIT RATE OF 100.25%.

THE U.S. CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRY SUMMARIES OF PURE MAGNESIUM FROM THE RUSSIAN FEDERATION THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER NOVEMBER 07, 1994. EFFECTIVE MAY 12, 1995, CUSTOMS SHALL REQUIRE A CASH DEPOSIT FOR SUCH ENTRY SUMMARIES OF THE SUBJECT MERCHANDISE ACCORDING TO THE FOLLOWING SCHEDULE.

MANUFACTURER/ EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
---------------------------	----------------------	----------------------

ALL THIRD COUNTRY EXPORTERS	RESELLERS	A-462-105-001
-----------------------------	-----------	---------------

100.25 AIOC	A-462-105-002
-------------	---------------

0.00% GERALD METALS	A-462-105-003
---------------------	---------------

0.00% HUNTER DOUGLAS	A-462-105-004
----------------------	---------------

0.00% INTERLINK	A-462-105-005
-----------------	---------------

0.00% MG METALS	A-462-105-006
-----------------	---------------

0.00% RAZNO	A-462-105-007
-------------	---------------

0.00% F S ALLOYS MINERALS	A-462-105-008
---------------------------	---------------

100.25 W O BERGMANN GMBH	A-462-105-009
--------------------------	---------------

100.25 DEREK RAPHAEL CO.	A-462-105-010
--------------------------	---------------

100.25 MARCO TRADING CO.	A-462-105-011
--------------------------	---------------

100.25 WOGEN GROUP LTD.	A-462-105-012
-------------------------	---------------

100.25 ALEX	A-462-105-013
-------------	---------------

100.25 MAGES	A-462-105-014
--------------	---------------

100.25 HOCHSCHILD	A-462-105-015
-------------------	---------------

0.0% GREENWICH	A-462-105-016
----------------	---------------

0.0% SMW	A-462-105-017
----------	---------------

0.0% RUSSIA WIDE
------------------

A-462-105-000	100.25
---------------	--------

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB".

OTHER INTERESTED PARTIES SHOULD CONTACT ERIK WARGA OR ELLEN

GREBASCH,OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT  
ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S.  
DEPARTMENT OF COMMERCE,TELEPHONE (202) 482-0922 AND (202)  
482-3773, RESPECTIVELY.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS  
INFORMATION.

NANCY MCTIERNAN

NOTE: THIS MESSAGE WAS INADVERTENTLY REMOVED FROM ADIL SO HAS  
BEEN REPOSTED TO ADIL ON NOVEMBER 14, 2009. THE ORIGINAL  
MESSAGE WAS SENT TO CMC DIRECTORS AND PORT DIRECTORS, NOT  
DIRECTORS, FIELD OPERATIONS AND PORT DIRECTORS. DIRECTOR,  
TECHNICAL PROGRAMS IS NOW SHOWN AS DIRECTOR, SPECIAL  
ENFORCEMENT. THE BALANCE OF THE TEXT AND INFORMATION REMAINS  
UNCHANGED AND MATCHES THE MESSAGE THAT STILL APPEARS ON THE  
ADD/CVD SEARCH APPLICATION ON CBP.GOV.

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party